

1 RUSSELL J. FRACKMAN (SBN 49087)
rjf@msk.com
2 CHRISTINE LEPERA (admitted *pro hac vice*)
ctl@msk.com
3 CHRISTINA E. DJORDJEVICH (SBN 262721)
cyd@msk.com
4 MITCHELL SILBERBERG & KNUPP LLP
11377 West Olympic Boulevard
5 Los Angeles, CA 90064-1683
Telephone: (310) 312-2000
6 Facsimile: (310) 312-3100

7 Attorneys for Plaintiffs

8

9 **UNITED STATES DISTRICT COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA**

11 DANIEL AUERBACH and PATRICK
12 CARNEY (collectively and professionally
13 known as "THE BLACK KEYS"); THE
14 BLACK KEYS PARTNERSHIP d/b/a
15 MCMOORE MCLESST PUBLISHING;
16 and BRIAN BURTON p/k/a DANGER
17 MOUSE individually and d/b/a SWEET
18 SCIENCE,

19 Plaintiffs,

20 v.

21 PIZZA HUT, INC., a Delaware corporation;
22 30TH CENTURY MASTERS LLC, a
23 Virginia limited liability company; THE
24 MARTIN AGENCY, INC., a Virginia
25 corporation; THE INTERPUBLIC GROUP
26 OF COMPANIES, INC., a Delaware
27 corporation; and DOES 1 - 10, inclusive,

28 Defendants.

Case No. CV12-05385 ODW (JCx)

**JOINT STIPULATION FOR
CONTINUANCE OF SCHEDULING
CONFERENCE SET FOR
OCTOBER 29, 2012**

Assigned to the Honorable Otis D.
Wright

Hearing Date: October 29, 2012

STIPULATION

Plaintiffs Daniel Auerbach, Patrick Carney (collectively and professionally known as “The Black Keys”), The Black Keys Partnership d/b/a McMoore McLesst Publishing, Brian Burton p/k/a Danger Mouse d/b/a Sweet Science (collectively “Plaintiffs”) and Defendants Pizza Hut, Inc., 30th Century Masters LLC, The Martin Agency, Inc. and The Interpublic Group of Companies, Inc., by and through their respective counsel of record, hereby stipulate and agree as follows:

1. The parties to this action have reached a settlement agreement in principle that will result in the voluntary dismissal of this action;

2. The parties are currently in the process of documenting such settlement agreement, which will require the approval and signature of multiple parties;

3. Accordingly, the parties have agreed, subject to the Court's approval, to continue the scheduling conference currently set for October 29, 2012 for thirty (30) days;

4. The parties anticipate filing a Stipulation of Dismissal within four (4) weeks of the date hereof, but respectfully request that the Court maintain this action on its active docket while the parties are documenting their settlement agreement.

5. There have been no prior requests for a continuance of the scheduling conference.

11

11

11

11

11

11

11

11

1 6. All signatories listed below, and on whose behalf the filing is submitted,
2 concur in this filing's content and have authorized this filing.
3

4 DATED: October 12, 2012 RUSSELL J. FRACKMAN
5 CHRISTINE LEPERA
6 CHRISTINA E. DJORDJEVICH
7 **MITCHELL SILBERBERG & KNUPP LLP**
8

9

10 /s/Christina E. Djordjevich
11 **CHRISTINA E. DJORDJEVICH**
12 Attorneys for Plaintiffs

13 DATED: October 12, 2012 MARCIA B. PAUL
14 SEAN M. SULLIVAN
15 **DAVIS WRIGHT TREMAINE LLP**
16

17

18 /s/ Sean M. Sullivan
19 **SEAN M. SULLIVAN**
20 Attorneys for Defendants